

REMARKS

The Applicant has filed the present Response in reply to the outstanding Final Official Action of January 25, 2005, and the Applicant believes the Response to be fully responsive to the Official Action for reasons set forth below in greater detail.

At the onset the Applicant would like to note that independent Claims 1, 4 and 7 have been amended herewith. Specifically, Claims 1, 4, and 7 have been amended incorporating the subject matter of dependent Claims 2-3, 5-6 and 8-9, respectively. Accordingly, dependent Claims 2-3, 5-6 and 8-9 have been cancelled.

In the outstanding Final Action, the Examiner rejected the claims under 35 U.S.C § 102(e) as being anticipated by Nonaka et al., U.S. Patent No. 6,519,243 (hereinafter "Nonaka").

Applicant respectfully disagrees with the Examiner's rejection of the claims and traverses with at least the following analysis.

Nonaka fails to teach (i) a broadcast reception means that receives modules, (ii) memory means for storing in advance a list of names of said modules of said broadcast; and (iii) comparison means for comparing names of modules already received by said broadcast reception means with said list and detecting said non-received modules.

The claimed invention is directed to a television system wherein digital broadcast is received, a reception condition is monitored, and when the reception condition deteriorates, the reception of the data broadcast is switched from the broadcast reception to the individual module acquirement by the Internet access means. Only the module, which is not detected, is received by the Internet access means for display.

Therefore, according to the present invention, the entire module can be received and displayed, even when noise is received by the data broadcast reception means due to poor receiving conditions such as bad weather. This is because the required modules are acquired via

the Internet employing a transmission line which does not relate to the condition of the broadcast radio waves.

The claimed invention solves the problem of not being able to display the entire module, since an entire module cannot be assembled, received and displayed when even one bit of noise exists in the received data.

In contrast, Nonaka teaches a communication system using asymmetrical paths for performing asymmetrical routing using uni-directional paths for uni-directional *packet* communication without changing the existing protocols in a network system configured for bi-directional *packet* communication using bi-directional paths.

Broadcast data modules are not packets. Packets are only chopped data, whereas in stark contrast, modules have a structure that constructs broadcast data by using a plurality of modules. Furthermore, the claimed invention relates to the **reception of broadcast data modules**, and not TCP/IP which processes data packets. TCP/IP processing of data packets is not the same as reception of broadcast data modules.

In the Final Official Action, the Examiner stated that the Applicant was arguing the “very basic TCP/IP definition” regarding storing in advance a list of names of said modules of the broadcast.

Applicant respectfully disagrees with the Examiner’s assertion that the Applicant is arguing the very basic definition of TCP/IP and, in fact, the Applicant believes that TCP/IP processing is not related to reception of broadcast data modules.

Admittedly, TCP governs the breakup of data into packets to be sent via IP as well as reassembling, and verifying the complete messages from packets received by the IP. Each segment of a packet contains a segment header including information regarding the source port, the destination port, sequence information, acknowledgement information, a checksum value,

and a TCP flag, etc. The header is used for acknowledgements and control messages. When a sender transmits a segment, a timer is started. This timer is set to give sufficient time for the segment to arrive with the receiving TCP process and for an acknowledgement to be sent back, specifying the next segment to be received. If no acknowledgement is received and the timer runs out, then the packet is sent again. **However, TCP/IP protocols govern transmission over the Internet and not transmission of broadcast modules.** Additionally, TCP/IP protocols do not teach storing a list of names of modules in the memory of a receiver.

The reference does not teach that the control means comprises a memory means for storing, in advance, **a list of names of the modules of the broadcast** where the control means is located at the receiver. In a disclosed embodiment of the invention the reception method change means (7) acquires the list of modules to be assembled from the module assembly means and checks it against the modules received and stored in the module memory means and detects the module(s) which has not yet been received and stored.

Applicant submits that the Examiner's assertion that a destination address anticipates storing the names of modules of broadcast data is incorrect. Names of modules are different from the meaning of destination address. The names of modules are names given to modules which the broadcast data are divided into, whereas destination address is an address of the destination packets.

Additionally, the reference does not teach that the "list of names" is stored on any memory means **at the receiver**. In contrast, the sequence is located within the data transferred as **header information**. As each packet is transferred, it is determined whether the packets were received. If no acknowledgement was received, the packet is sent again. At best, the reference teaches that the list of destinations is located in the comment section of the packet.

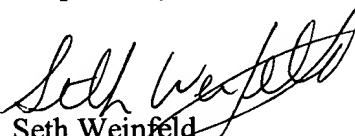
Therefore, the reference does not teach that a disruption in transmission is detected by a comparison means for comparing names of modules already received by said broadcast reception means with the list and detecting the non-received modules. In contrast, the reference suggests that a disruption is detected when acknowledgement of receipt of a packet is not sent. Whereas, in the claimed invention, disruption is detected based upon storing in advance a list of names of the modules of the broadcast and comparing names of modules already received with the list and detecting the non-received modules.

Accordingly, Applicant submits that Nonaka fails to teach or suggest each and every limitation of the claims and therefore does not anticipate them.

For all the foregoing reasons, the Applicant respectfully requests that the Examiner withdraw the rejection of Claims 1, 4, 7, and 10-12 under 35 U.S.C. § 102(e).

In conclusion, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,


Seth Weinfeld
Registration No. 50,929

Scully, Scott, Murphy & Presser
400 Garden City Plaza, suite 300
Suite 300
Garden City, New York 11530
(516) 742-4343
Customer No. 23389
SW:jw